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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,202	11/21/2001	Robert Newsteder	AID-3.2.001/4203	9308
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GIBBONS, DEL DEO, DOLAN, GRIFFINGER & VECCHIONE 1 RIVERFRONT PLAZA NEWARK, NJ 07102-5497				
			EXAMINER LE, UYEN T	
			ART UNIT 2171	PAPER NUMBER

DATE MAILED: 10/06/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

09/989,202

Applicant(s)

NEWSTEDER, ROBERT

Examiner

Uyen T Le

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____



DETAILED ACTION

Abstract

1. The abstract is objected to because it exceeds the limit of 150 words.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwak (US 2002/0198933), in view of Hyodo (US 5,937,390).

Regarding claim 1, the claimed system merely reads on the fact that it is well known in the art as shown by Kwak to use an Internet-based system for company to enter information for advertisement purpose and for users to search for company information (see 0037). Clearly the web site for a company to enter information is

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configured with a graphic user interface different from the web site for a user to search that information. Furthermore, it is well known in the art for a company to have a toll free telephone number as shown by Hyodo (see the abstract). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Kwak and Hyodo in order to attract customers by providing a toll free number for customers to call.

Claim 9 merely differs from claim 1 by reciting a telephone-based directory system instead of an Internet-based directory system. Although Kwak does not specifically show a voice caller interface, it is well known in the art for customers to call to inquire about a company product or to place an order as shown by Hyodo (see Figure 1). Thus, it would have been obvious to one of ordinary skill in the art to combine the teachings of Kwak and Hyodo in order to allow users to place an order using the convenience of their telephone lines.

Regarding claims 2, 10, since the system is Internet-based or telephone-based, it is likely to be accessed by users of different taste, equipment and in different areas. Therefore, it would have been obvious to one of ordinary skill in the art to include configuring the database to correlate the toll free number and other company information relating to an advertising media format, date, identity of advertising publications, air time, station and geographic location as claimed.

Regarding claims 3, 11, Kwak shows that the claimed media formats are customary in advertising (see 0034).

Regarding claims 4, 12, since the whole purpose of advertising for a company is to attract visitors and customers, it would have been obvious to one of ordinary skill in

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the art to configure the first user interface at the first web site as claimed in order for a company to document the company and its products in the database to attract customers.

Regarding claims 5-7, 13-15, since the company advertisement is in different formats, clearly the user interface at the second web site has to be configured as claimed in order to allow a search request in the proper format.

Regarding claims 8, 16, Hyodo discloses entering a company name (see column 4, lines 1-37).

Claims 17, 20 correspond respectively to the method of claims 1, 9, thus are rejected for the same reasons stated in claims 1, 9 above.

Regarding claims 18, 21, since it is well known in the art to broadcast company advertisements as shown by Kwak (see 0034), it would have been obvious to one of ordinary skill in the art to include allowing searching by entering the approximate air time and station of the advertising as claimed.

Regarding claims 19, 22, since it is well known in the art to advertise by publication as shown by Kwak (see 0034), it would have been obvious to one of ordinary skill in the art to include allowing searching by providing the name of the publication as claimed.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Walker et al (US 6,317,723) teach selling subscriptions to periodicals in a retail environment.

McKay (US 2002/0078459) teaches interactive electronic directory service.

Tsuttani et al (US 2003/0110080) teach advertisement distribution.

Park (US 2002/0082930) teach Internet marketing and transactional development.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen T Le whose telephone number is 703-305-4134. The examiner can normally be reached on M-F 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Uyen Le
Primary Examiner
AU 2171

30 September 2003